

BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

IN THE MATTER OF WWC HOLDING CO.,)
INC., NOTICE OF RELINQUISHMENT OF)
ELIGIBLE TELECOMMUNICATIONS)
CARRIER DESIGNATION)

Docket No. 62016-3-RA-10
(Record No. 12564)

ORDER

(Issued November 29, 2010)

This matter is before the Wyoming Public Service Commission (Commission) upon the *Notice of Relinquishment of Eligible Telecommunications Carrier (ETC) Designation (Notice)* of WWC Holding Co. Inc., d/b/a Verizon Wireless (WWC).

The Commission, having reviewed the *Notice*, its files regarding WWC, applicable Wyoming and federal telecommunications law and otherwise being fully advised in the premises, FINDS and CONCLUDES:

1. WWC is a telecommunications company as defined by W.S. § 37-15-103(a)(xi), and as such, is subject to the jurisdiction of the Commission under W.S. § 37-15-401.

2. On July 30, 2010, WWC filed its *Notice* in which it asked for Commission approval of the relinquishment of its ETC designation in Wyoming under Section 102 of the Federal Telecommunications Act of 1996 (47 U.S.C. § 214(e)(4)).

3. WWC was designated as an ETC in certain areas of Wyoming pursuant to a Commission order of September 23, 2005, in consolidated Dockets No. 70042-TA-04-5 and 70042-TA-04-4. In 2005, WWC was acquired by Alltel Corporation; and, in January 2009, Alltel Corporation was acquired by Cellco Partnership d/b/a Verizon Wireless. As a condition of the acquisition of Alltel Corporation by Verizon Wireless, all customers, the network serving those customers and other WWC assets in Wyoming were divested and sold to AT&T Mobility LLC (AT&T).

4. WWC stated in the *Notice* that at least one other ETC serves the designated area, and with the advance notice, all customers of WWC will continue to be served. WWC has informed the Universal Service Administrative Company (USAC) that it is no longer eligible for federal Universal Service Fund (FUSF) support for the customers transferred to AT&T Wireless; and WWC stated in the notice that, upon approval, it will inform USAC that the relinquishment is completed. WWC states that it does not intend to file an annual ETC certification or other related compliance filings with the Commission.

5. 47 U.S.C. §214(e)(4) provides that:

A State commission shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The State commission shall establish a time, not to exceed one year after the State commission approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.

6. WWC's *Notice* came before the Commission pursuant to due notice at the September 30, 2010, open meeting. Dale Cottam, local counsel, appeared in person and Steven Rowell, Assistant General Counsel for Verizon Wireless, participated by telephone on behalf of WWC. Cottam summarized the Notice, stating that WWC met the relevant requirements of 47 U.S.C. §214(e)(4) and that the other requirements were inapplicable in this situation because WWC serves no customers in the area in question and no further facilities need to be purchased or constructed to serve customers after the relinquishment. Rowell stated WWC had not received any FUSF payments from USAC after the date of its sale to AT&T. Commission Advisory Staff recommended approval of the relinquishment.

7. Based upon the *Notice*, the statements and representations of WWC, and the analysis and recommendations of the Commission Advisory Staff, the Commission finds and concludes approval of WWC's relinquishment of its ETC designation is in the public interest as the customers of WWC are already served by other ETCs and no purchase or construction of facilities is required to accomplish this end. There is consequently no need for the Commission to require a notice period before the relinquishment becomes effective.

IT IS THEREFORE ORDERED:

1. Pursuant to open meeting action taken on September 30, 2010, WWC Holding Co., d/b/a Verizon Wireless' *Notice of Relinquishment of Eligible Telecommunications Carrier (ETC) Designation* is approved.

2. The relinquishment is effective immediately as no further notice of it is required.

3. This *Order* is effective immediately.

MADE and ENTERED at Cheyenne, Wyoming, on November 29, 2010.

PUBLIC SERVICE COMMISSION OF WYOMING

Alan B. Minier

ALAN B. MINIER, Chairman

Steve Oxley

STEVE OXLEY, Deputy Chairman

Kathleen A. Lewis

KATHLEEN A. LEWIS, Commissioner



Attest:

J. Blair Bales

J. BLAIR BALES, Assistant Secretary